

October 7, 2003

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 5:30 p.m. on Tuesday, October 7, 2003, in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Lieu, McIntyre, Mauno, Nowatka, Scotto, Witkowsky, and Mayor Walker.

Absent: None.

Also Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers, and other staff representatives.

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Agenda Item 17 was considered out of order at this time.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 17a) Conference with Labor Negotiator; 17b) Public Employee Performance Evaluation; 17c) Conference with Legal Counsel – Anticipated Litigation; and 17d) Conference with Real Property Negotiator pursuant to California Government Code Sections 54957.6, 54956.7, 54956.9(c) and 54956.8.

The Council reconvened in Council Chambers at 7:08 p.m. No formal action was taken on any matter considered in closed session.

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City Clerk Herbers encouraged everyone to vote and announced that anyone needing assistance in locating their polling place could contact the City Clerk's office as staff would be on duty until 8:00 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Witkowsky.

Councilmember Nowatka gave the non-sectarian invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Mauno moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Nowatka, and passed by unanimous roll call vote.

MOTION: Councilmember Mauno moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

4. **WITHDRAWN OR DEFERRED ITEMS**

None.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Mayor Walker thanked Councilmember Paul Nowatka for his tenure as Mayor Pro Tem and announced that Councilmember Ted Lieu would be the next Mayor Pro Tem.

6. **COMMUNITY MATTERS**

6a. **PROCLAMATION RE "FAMILY HISTORY MONTH"**

Mayor Walker presented a proclamation to South Bay Cities Genealogical Society representatives Janice Wheeler, Betty McIntire, Lisa Schumacher, Lorna Rice, and Oren Sheldon, declaring the month of October 2003 as ***Family History Month*** in the City of Torrance and encouraging family history research, education, and the sharing of knowledge to renew the commitment to the concept of family and home.

A small donation was made on behalf of the South Bay Cities Genealogical Society to the Torrance Library, which was accepted by City Librarian Jim Buckley.

7. **CONSENT CALENDAR**

7a. **DESIGNATION OF VOTING DELEGATE FOR THE 2003 NATIONAL LEAGUE OF CITIES CONGRESS OF CITIES**

Recommendation

Recommendation of the **City Manager** that City Council designate Mayor Dan Walker as voting delegate to represent the City of Torrance at the 2003 National League of Cities Congress of Cities.

Considered separately, see page 4.

7b. **COMMUNITY SERVICES COMMISSION 2002/2003 ANNUAL REPORT**

Recommendation

Recommendation of the **Parks and Recreation Director** and the **Community Services Commission** that City Council accept and file the 2002-2003 Community Services Commission Annual Report.

7c. **TORRANCE DISASTER COUNCIL 2002/2003 ANNUAL REPORT**

Recommendation

Recommendation of the **Chief of Police** and the **Torrance Disaster Council** that City Council accept and file the 2002-2003 Torrance Disaster Council Annual Report.

7d. **MASTER PURCHASE AGREEMENT WITH NEC BUSINESS NETWORK SOLUTIONS, INC.**

Recommendation

Recommendation of the **Acting Information Technology Director** that City Council authorize entering into a Master Purchase Agreement (MPA) with NEC Business Network Solutions, Inc. (NEC BNS) for the purchasing and leasing of products and services.

7e. CONTRACT FOR MAINTENANCE AND REPAIRS OF TELEPHONE AND VOICEMAIL SYSTEMS

Recommendation

Recommendation of the **Acting Information Technology Director** that City Council authorize a contract to NEC Business Network Solutions, Inc. (NEC BNS) for the repair and maintenance of the City's telephone and voicemail systems for one year in an amount not to exceed \$96,446.88. The term of the agreement will be October 1, 2003, through September 30, 2004.

7f. PURCHASE ORDER RE STAINLESS STEEL CONTROL ENCLOSURES

Recommendation

Recommendation of the **Public Works Director** that City Council :

- 1) Authorize a purchase order to be issued to Engineers Sales-Service Company Inc. (ESSCO) of Los Angeles, CA in the amount \$42,832.36 for the sole source purchase of 3 stainless steel control enclosures for the Redbeam, Cypress and Madison Sewer Lift Stations; and
- 2) Appropriate \$7,021 from the Sewer Fund to FEAP #347.

7g. PURCHASE ORDER RE VERMEER 1000XL BRUSH CHIPPER

Recommendation

Recommendation of the **Public Works Director** that City Council authorize a purchase order to be issued to Vermeer-California Inc. of Fontana, CA in the amount of \$28,097.37, for the sole source purchase of one Vermeer 1000XL brush chipper (FEAP #355).

7h. PURCHASE OF LED TRAFFIC SIGNAL MODULES

Recommendation

Recommendation of the **Public Works Director** that City Council:

- 1) Authorize a purchase order to be issued to Dialight Corporation of Manassas, VA, in the amount of \$93,603.78 for the purchase of LED traffic signal modules for various City maintained signalized intersections within the City (FEAP #240); and
- 2) Appropriate \$73,000 from the Energy Reserve Fund and \$20,603.78 from Traffic and Lighting Operating budget to FEAP #240.

7i. CONSULTING SERVICES AGREEMENT RE SOUTHWOOD TRAFFIC CALMING

Recommendation

Recommendation of the **Community Development Director** that City Council approve a not to exceed expenditure of \$30,000 and authorize the Mayor to execute a consulting services agreement with Transtech Engineers, Inc., of Walnut, CA for the design of the landscape median islands on Torrance Boulevard at Ocean Avenue, on Carson Street at Ocean Avenue, and pedestrian signal on Carson Street at Kent Avenue.

MOTION: Councilmember Lieu moved for the approval of Consent Calendar Items 7b through 7i. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

Consent Calendar Item 7a was considered out of order at this time.

7a. DESIGNATION OF VOTING DELEGATE FOR THE 2003 NATIONAL LEAGUE OF CITIES CONGRESS OF CITIES

Recommendation

Recommendation of the **City Manager** that City Council designate Mayor Dan Walker as voting delegate to represent the City of Torrance at the 2003 National League of Cities Congress of Cities.

Councilmember Witkowsy offered a correction to the staff report, noting that both she and Councilmember Mauno would be attending the conference along with Mayor Walker.

MOTION: Councilmember Witkowsky moved to concur with the staff recommendation. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

9. PLANNING AND ECONOMIC DEVELOPMENT

9a. RESOLUTIONS FOR DENIAL OF CUP03-00022, TTM54204, VAR03-00005: ELITE HOMES (SUBTEC/CHERYL VARGO)

Recommendation

Recommendation of the **Community Development Director** that City Council adopt Resolutions to deny without prejudice CUP03-00022, TTM54204 and VAR03-00005 on property located at 739 and 745 Border Avenue and 809 Arlington Avenue. **CUP03-00022, TTM54204, VAR03-00005: ELITE HOMES (SUBTEC/CHERYL VARGO)**

Community Development Director Gibson advised that the Resolutions reflect the Council's action at the August 26, 2003 Council meeting

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2003-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A NINE-UNIT CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED IN THE R-3 ZONE AT 739 AND 745 BORDER AVENUE AND 809 ARLINGTON AVENUE. **CUP03-00022: ELITE HOMES (SUBTEC/CHERYL VARGO)**

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-135. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

RESOLUTION NO. 2003-136

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A TENTATIVE TRACT MAP TO ALLOW THE SUBDIVISION FOR CONDOMINIUM PURPOSES THE CONSOLIDATION OF THREE PARCELS INTO ONE PARCEL AND

THE VACATION OF APPROXIMATELY 300 SQUARE FEET OF PUBLIC RIGHT-OF-WAY ALONG BORDER AVENUE FRONTING THE SUBJECT PROPERTIES ON PROPERTY LOCATED IN THE R-3 ZONE AT 739 AND 745 BORDER AVENUE AND 809 ARLINGTON AVENUE.

TTM54204: ELITE HOMES (SUBTEC/CHERYL VARGO)

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-136. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

RESOLUTION NO. 2003-137

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A VARIANCE FROM THE PROVISIONS OF DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO ALLOW TANDEM PARKING ON PROPERTY LOCATED IN THE R-3 ZONE AT 739 AND 745 BORDER AVENUE AND 809 ARLINGTON AVENUE.

VAR03-00005: ELITE HOMES (SUBTEC/CHERYL VARGO)

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-137. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11a. STATE OF LOCAL EMERGENCY RE CAROLWOOD LANE AND SINGINGWOOD DRIVE

Recommendation

Recommendation of the **City Manager** and the **City Attorney** that City Council continue the state of local emergency, proclaimed March 2, 2001 for properties located on Carolwood Lane and Singingwood Drive.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

12. HEARINGS

12a. EAS03-00005, ZON03-00003, GPA03-00002, PD03-00001, CUP03-00013, TTM53091, MIS03-00231: MARICOPA PROPERTIES/CITY OF TORRANCE

Recommendation

Recommendation of the **Community Development Director** that City Council take the following action on property located at 2829 Maricopa Avenue:

- 1) Adopt a Mitigated Negative Declaration (EAS03-00005);
- 2) Adopt Ordinances approving a Zone Change (ZON03-00003) from Heavy Manufacturing (M-2) and Planting and Parking (P-1) to Planned Development (PD) and approving a Miscellaneous Permit (MIS03-00231) adopting a Development Agreement;
- 3) Adopt Resolutions approving a General Plan Amendment (GPA03-00002) from Light Industrial to Low-Medium Density Residential, a Planned Development Permit to establish the development standards for the project (PD03-00001), a Conditional Use Permit (CUP03-00013) for multiple owner occupied housing, and a Vesting Tentative Tract (TTM53091); and

4) Approve Ordinance Summaries for publication.

The Planning Commission recommended approval of the Mitigated Negative Declaration, the Conditional Use Permit, the Tentative Tract Map and the Miscellaneous Permit and voted to recommend denial of the Planned Development Permit.

EAS03-00005, ZON03-00003, GPA03-00002, PD03-00001, CUP03-00013; TTM53091, MIS03-00231: MARICOPA PROPERTIES / CHERYL VARGO, CITY OF TORRANCE -

Mayor Walker announced that this was the time and place for a public hearing on this matter. City Clerk Herbers confirmed that the hearing was properly advertised.

Planning Manager Isomoto noted that Maricopa Properties was requesting approval of a series of entitlements to allow the construction of a gated 104-unit residential development and that the City of Torrance was the applicant for the Zone Change and General Plan Amendment.

Planning Manager Isomoto briefly described the project, explaining that it would be constructed in three phases spanning up to ten years in order to accommodate an existing tenant. Referring to a Location and Zoning Map, she reviewed the zoning of surrounding properties and noted that the site is currently developed with an industrial building. She discussed the Planning Commission's action, reporting that the Commission recommended approval of the project by a vote of 4 to 3, adding conditions reducing the number of units to 84 and limiting their height to 27 feet, and voted unanimously to deny the Planned Development Permit because it was no longer valid with the conditions imposed.

Councilmember Scotto asked about the reasoning behind the Planning Commission's decision to reduce the number of units. Planning Manager Isomoto stated that the Commission felt the project was too dense; that Commissioners believed an approximate 20% reduction would be appropriate; and that they did not feel it was necessary to downsize to the level of the project considered three years ago, which was 73 units.

Cheryl Vargo, representing Maricopa Properties, distributed additional information to the Council, including the City of Torrance General Plan Land Use Map and excerpts from the General Plan adopted in 1992.

Referring to the Land Use Map, Ms. Vargo pointed out that the subject site is on the perimeter of the industrial zone and that the proposed project would act as a buffer between industrial uses to the north and single-family residences to the south.

Referring to excerpts from the General Plan, she discussed the City's evolution from heavy manufacturing to lighter industrial uses/business parks and noted that the General Plan recognizes the need for flexibility to respond to changing times. Commenting on the demand for housing, she stated that the City has not come close to meeting the goal designated in the General Plan; that there is a need to provide housing close to employment centers in order to reduce commuter traffic; and that because there is very little vacant residential land in Torrance, the rezoning of industrial/commercial land is one of the few options available. She reported that the potential impact of noise from industrial uses on new residents has been one of the greatest concerns and expressed confidence that noise from industrial neighbors could be adequately mitigated.

Paul Silver, of Hamilton, Rabinovitz and Alschuler, Inc., 6033 West Century Boulevard, Suite 890, Los Angeles, provided a summary of the report prepared by his firm on the economic and fiscal impacts of the Montecito Estates Project per written material of record.

Kurt Nelson, representing JCC Homes, 3480 Torrance Boulevard, stated that there is great demand for the type of housing proposed and maintained that a residential development was the best use for this site.

Councilmember Mauno asked how the phasing would impact the building of recreational facilities. Mr. Nelson stated that the developer plans to build those facilities as soon as possible because they help attract homebuyers.

Councilmember Nowatka questioned how the Planning Commission's recommendation to reduce the number of units from 104 to 84 would affect the economics of the project. Noting the sharp rise in construction costs, Mr. Nelson indicated that the project might not be financially viable with the loss of 20 units and voiced his opinion that the reduction would have no positive impact on the aesthetics on the project. In addition, he pointed out that the City would lose revenue from property taxes and sales tax that would be generated by residents, as well as funds paid by the developer earmarked for local schools.

Councilmember Nowatka asked about conflicting information regarding whether the railroad spur adjacent to the project is completely out of service. Mr. Nelson advised that he had spoken to officials of Burlington Northern & Santa Fe Railway and learned that the spur is used for the temporary storage of railcars.

In response to Councilmember Lieu's inquiry, Mr. Nelson confirmed that potential residents of the development would receive written disclosure regarding their proximity to the railroad spur and surrounding industrial uses.

Craig Reynolds, representing the Tuffli Company, owner and landlord of property at 2740 California Street, currently leased by National Mobile Television, urged denial of the proposed project. He maintained that the residential development was inconsistent and incompatible with existing industrial uses surrounding the site and that it would place his company's investment at risk.

Asked by Councilmember Nowatka to elaborate on his claim that the company's investment would be at risk, Mr. Reynolds explained that tenants might be forced to curtail operations or move to another location due to complaints from new residents, leaving his company with a vacant building that would be difficult to lease.

Bruce Tepper, representing GKL Investments, owner of property at 2830 and 2860 California Street, reported that the company is strongly opposed to the proposed project. He noted that three years ago a smaller, less intense residential development was rejected because of its incompatibility with industrial neighbors and that the same environment exists today. He disputed the contention that people who currently work in Torrance will buy the homes thereby decreasing commuter traffic, explaining that the projected price of \$650,000 requires an annual income in excess of \$160,000. He maintained that the mitigations proposed are superficial at best and that those who purchase these homes will have certain expectations, which will lead to tension between residents and nearby business owners. He contended that the City's efforts to avoid litigation would result in future litigation.

Asked by Mayor Walker to explain his last statement, Mr. Tepper noted that the City entered into a \$300,000 settlement with the former tenant of the property, Church of the Harvest International, which included \$150,000 to be paid by the proponents of this project should it be approved, and maintained that there was a strong probability of litigation in the future between homeowners and industrial property owners.

Darlene Cherry, 1027 Hickory Avenue, expressed support for the project, stating that neighbors to whom she has spoken overwhelmingly support a residential development on this site. She commented on parking problems in the neighborhood that occurred when the subject property was occupied by Magnavox; contended that the \$650,000 home price was not out of the reach of people who currently live and/or work in Torrance; and reported that she investigated other developments built by JCC Homes and was impressed by the quality of their workmanship.

Robert Thompson, President of Madrona Homeowners Association, stated that the association was not opposed to the project but had concerns about locating the entrance on Maricopa Street and felt relocating it to Hawaii Avenue would alleviate traffic and congestion problems on Maricopa. He indicated that the association was also concerned about the project's impact on utilities, noting that the City's water, electric, and sewer systems are over 50 years old. He suggested that the units along Maricopa Street be reoriented so that they face the street to help blend the development with the existing residential community. He reported that despite these concerns, the association believes the project could have a positive impact on the surrounding community.

Mike Schwabe, representing Aztec Tents and Events, 540 Hawaii Avenue, noted that the company has been located in Torrance for 37 years, moved to this location 12 years ago, and currently employs approximately 140 people. Voicing opposition to the project, he stated that he doubted the company would have signed the new long-term lease had they known this development was going forward due to potential problems down the road. He questioned what the City's Office of Economic Development had done to encourage the refurbishment of this property for industrial use and related his understanding that the adjacent railroad spur is still active.

Mayor Walker stated that he visited Aztec several times and spoke to people who work there and never got the impression that the proposed project would have any impact on the business, noting the large fence and railroad tracks separating the uses.

Mr. Schwabe explained that homes bordering Aztec would have a view down into the work area, where trucks and forklifts operate around the clock, and that he fully expected conflicts to erupt between the new homeowners and existing businesses.

Ray Millman, 22750 Hawthorne Boulevard, a real estate agent with expertise in the Torrance Gardens area, stated that he has spoken with dozens of people in the neighborhood, the vast majority of whom support the proposed project. He reported that there is a strong demand for new homes and pointed out that the project would help preserve the City's stock of smaller, more affordable houses because people would be able to buy the new homes instead of constructing large additions or tearing down small homes that will never be replaced.

Dan Petty, 1104 Eriel Avenue, expressed support for the project, commenting on problems that occurred when the site was occupied by Magnavox involving parking and

cut-through traffic. He voiced his opinion that the proposed residential development would increase property values and decrease traffic, making the neighborhood safer.

Joe Bond, 805 Kornblum Avenue, stated that he is the one most directly affected by the project; indicated that he was not opposed to it because he believes it will upgrade the neighborhood; and requested that the entrance be moved to Hawaii Avenue so that headlights do not shine into his home.

In response to Charles Deemer, 21225 Talisman Street, Mayor Walker provided clarification regarding the project's classification as a condominium development despite standards similar to a R-1 single-family development.

Larry Goldstein, 5731 W. Slauson, Suite 222, Culver City, representing the owners of the property at 540 Hawaii Avenue, commented on the difficulty of balancing the interests of businesses and residents. He stated that it seemed inevitable that the project would be approved and asked that the Council take the courageous step of declaring that the entire central manufacturing district was destined to be rezoned for residential development so that his elderly clients could make investment plans.

Mayor Walker indicated that he totally disagreed with premise that the area was destined to be rezoned; noted that there is a natural division between the subject property and the industrial uses to the north; and stated that he did not believe the proposed project would have any impact on the viability of the industrial area.

Michael Wolff, 1005 Teri Avenue, noted that he had outlined his concerns in a letter included in the supplemental material and submitted letters signed by his neighbors. He stated that he was not opposed to a residential development on the site but maintained that the proposed homes were not consistent with homes in his neighborhood and requested that the project be limited to 84 two-story homes in accordance with the Planning Commission's recommendation.

In response to Councilmember Lieu's inquiry, Mayor Walker confirmed that the developer originally proposed 128 units and subsequently downsized the project to 104 units after discussions with the City.

Steve von Biela, 911 Faysmith, voiced support for the retention of this property for commercial use, noting a possible change in California's political climate making it more favorable to businesses.

The Council recessed from 8:47 p.m. to 9:02 p.m.

(Mayor Walker announced the results of the State of California recall election.)

Returning to the podium, Mr. Nelson stated that there is no shortage of industrial property in Torrance; that the site, which is surrounded by a church, residential and benign industrial uses, is ideally suited for residential development; and that a low density residential development, such as the one proposed, would have the least impact on the environment. He further stated that while the homes are not exactly the same as those to the south, they will provide a buffer between that neighborhood and industrial uses to the north as well as increasing everyone's property values. He noted that the entrance has been reconfigured so that headlights will not shine into Mr. Bond's home and outlined traffic improvements, including the re-striping of Maricopa Street between Crenshaw and

Maple, that will be implemented to improve the flow of traffic. He urged approval of the project as submitted.

Councilmember Scotto asked about moving the project entrance to Hawaii Avenue. Mr. Nelson stated that it makes no sense to locate the entrance where residential traffic would be in conflict with industrial traffic, noting that City staff and transportation experts agreed that the safest most efficient layout was to have the entrance on Maricopa.

Councilmember Scotto questioned how Aztec should deal with complaints from residents. Mr. Nelson indicated that the CC&Rs would direct residents to submit all complaints related to adjacent industrial uses to the Board of Directors of the Homeowners Association so that they can be addressed politely and efficiently. He stated that he did not expect any problems to develop given the distance between Aztec and the project and the noise reduction features in the homes and suggested that residents' exposure to noise would be no different than in projects that front on busy streets.

In response to Councilmember McIntyre's inquiry, Mr. Nelson reported that the sanitation district and utility companies reviewed the project and confirmed that sufficient capacity exists and the project would not negatively impact their services.

Responding to Councilmember Nowatka, Mr. Nelson reiterated his claim that having the entrance on Maricopa was safer because residents would not have to contend with truck traffic that predominates on Hawaii Avenue.

Francis Park, Latham & Watkins, LLP, 633 West Fifth Street, Suite 4000, Los Angeles, representing Maricopa Properties, stated that staff did a very thorough job of preparing the Mitigated Negative Declaration, which includes several hundred pages of technical reports addressing every aspect of the project, and that it concluded that the project would have no significant impact and certainly no impact that would warrant the preparation of an Environmental Impact Report. He maintained that there was no logic to reducing the number of units from 104 to 84, pointing out that there are projects in the City with a much higher density, and noted that the number of units originally proposed was much higher. He requested approval of the project as submitted.

MOTION: Councilmember Mauno moved to close the public hearing. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

Mayor Walker noted that, as a Councilmember, he voted to approve the project proposed for this site three years ago, which was rejected in a very close vote, and that subsequently the community found itself in a situation that no one could have foreseen, although some had forewarned. Voicing support for the project, he stated that he thought it was a win/win solution that would put to rest a lot of issues and expressed confidence that every potential problem had been thoroughly addressed during the Planning process. He indicated that he did not favor reducing the number of units to 84 because such a reduction would not be apparent when viewed from the street, or limiting the height of the units to two stories because the three-story units are in the center of the project and the height differential would not be noticeable outside of the complex. He stated that he thought locating the entrance on Maricopa made sense and that he did not believe the project would significantly impact traffic. He commented on the developer's efforts to arrive at an acceptable project and the astronomical price paid for the property as compared to what it would have sold for three years ago.

Councilmember Mauno reported that he was a Planning Commissioner when the previous project was considered three years ago; that he initially had doubts about the viability of the project due to noise; that he made several trips to the site at various times of the day; and that he found it was quieter than many other residential areas in central Torrance, therefore, he voted to recommend approval the project.

With regard to the proposed project, Councilmember Mauno indicated that he did not favor relocating the entrance to Hawaii Avenue because anyone exiting would still end up on Maricopa; because it makes sense to locate the attractive entrance on the front of the development, not the back or the side; and because walling off the project along the entire length of Maricopa would tend to isolate it from the adjacent neighborhood to the south. Voicing support for the project, he stated that he was very pleased with the design and believed the project could successfully co-exist with the surrounding industrial and residential uses. He indicated that he would not support a reduction in the number of units in the absence of any evidence that having 104 units would be detrimental to the community.

MOTION: Councilmember Witkowsky moved to concur with the staff recommendation. The motion was seconded by Councilmember Mauno and passed by unanimous roll call vote.

MOTION: Councilmember Witkowsky moved to adopt a Mitigated Negative Declaration. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

ORDINANCE NO. 3544

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 2829 MARICOPA STREET FROM M2 (HEAVY MANUFACTURING DISTRICT) AND P-1 (PLANTING AND PARKING DISTRICT) TO P-D (PLANNED DEVELOPMENT DISTRICT) **ZON03-00003: CITY OF TORRANCE**

MOTION: Councilmember Witkowsky moved for the adoption of Ordinance No. 3544. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

ORDINANCE NO. 3545

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TORRANCE AND MARICOPA PROPERTIES, L.P. RELATING TO REAL PROPERTY LOCATED AT 2829 MARICOPA STREET

MIS03-00231: MARICOPA PROPERTIES/CHERYL VARGO

MOTION: Councilmember Mauno moved for the adoption of Ordinance No. 3545. The motion was seconded by Councilmember Lieu and passed by unanimous roll call vote.

RESOLUTION NO. 2003-138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT AS PROVIDED FOR IN DIVISION 9 CHAPTER 2, ARTICLE 34 OF THE TORRANCE MUNICIPAL CODE TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM LIGHT INDUSTRIAL TO LOW MEDIUM DENSITY RESIDENTIAL LAND USE FOR PROPERTY LOCATED IN THE M-2 AND P-1 ZONES (ZONE CHANGE PENDING) AT 2829 MARICOPA STREET

GPA03-00002: CITY OF TORRANCE

MOTION: Councilmember Mauno moved for the adoption of Resolution No. 2003-138. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2003-139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PLANNED DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 42 OF THE TORRANCE MUNICIPAL CODE TO ESTABLISH THE DEVELOPMENT STANDARDS FOR A RESIDENTIAL DEVELOPMENT PROJECT IN THE PD ZONE (ZONE CHANGE PENDING) AT 2829 MARICOPA STREET

PD03-00001: MARICOPA PROPERTIES/CHERYL VARGO

MOTION: Councilmember Mauno moved for the adoption of Resolution No. 2003-139. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

RESOLUTION NO. 2003-140

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW CONSTRUCTION OF A DETACHED CONDOMINIUM PROJECT IN THE PD ZONE (ZONE CHANGE PENDING) AT 2829 MARICOPA STREET

CUP03-00013: MARICOPA PROPERTIES/CHERYL VARGO

MOTION: Councilmember Mauno moved for the adoption of Resolution No. 2003-140. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

RESOLUTION NO. 2003-141

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A VESTING TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW CONSTRUCTION OF A DETACHED CONDOMINIUM PROJECT IN THE PD ZONE (ZONE CHANGE PENDING) AT 2829 MARICOPA STREET

TTM53091: MARICOPA PROPERTIES/CHERYL VARGO

MOTION: Councilmember Mauno moved for the adoption of Resolution No. 2003-141. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

City Attorney Fellows noted that any references to 84 units included in the ordinances/resolutions would be changed to 104 units to reflect the Council's action.

15. SECOND READING ORDINANCES

15a. SECOND AND FINAL READING OF ORDINANCE NO. 3542

ORDINANCE NO. 3542

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 12.4.5 OF THE TORRANCE MUNICIPAL CODE TO PROVIDE FOR INCREASED CLAIMS SETTLEMENT AUTHORITY OF THE CITY MANAGER

MOTION: Councilmember Nowatka moved for the adoption of Ordinance No. 3542. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

15b. SECOND AND FINAL READING OF ORDINANCE NO. 3543

ORDINANCE NO. 3543

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS 11.2.5 AND 11.2.6 OF DIVISION 1 OF THE TORRANCE MUNICIPAL CODE RELATED TO ENFORCEMENT PERSONNEL AND INFRACTIONS OF THE TORRANCE MUNICIPAL CODE

MOTION: Councilmember Nowatka moved for the adoption of Ordinance No. 3543. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

*

The Council met as the Redevelopment Agency from 9:40 to 9:41 p.m.

16. ORAL COMMUNICATIONS

16a. Councilmember Lieu reported that he, Councilmember Nowatka, and members of the Armed Forces Day Parade Planning Committee visited the Pentagon the previous day and met with representatives of each branch of the armed services and that they all knew of the parade and were very supportive.

16b. Councilmember Mauno commented on the results of the historic recall election.

16c. Councilmember Mauno stated that he enjoyed Lorna Luft's performance, which opened the Cultural Arts Center's season last Friday, as well as the Arts Alive Festival the following day, which included a visit from literary giant Ray Bradbury.

16d. Councilmember McIntyre indicated that she also enjoyed attending the Cultural Arts Center's opening night and the Arts Alive Festival, noting that Mr. Bradbury has attended the festival for 49 consecutive years. She stated that she also attended the Torrance Artist Guild Show on Sunday and thought it was one of the best shows they have ever had.

16e. Councilmember Nowatka reported on the visit to Washington, D.C., in preparation for the 45th Armed Forces Day Parade to be held on May 15, 2004, noting that the planning committee received a tremendous reception from people at the Pentagon and that they were able to secure a commitment from the Coast Guard and are looking forward to a memorable parade.

16e. Councilmember Nowatka commented on his enjoyment of Lorna Luft's performance on opening night at the Cultural Arts Center prior to leaving for Washington, D.C.

16f. Councilmember Scotto expressed the hope that the State of California's economy would improve under the new governor, easing the strain on the City's budget.

16g. Councilmember Scotto stated that he was very impressed by Lorna Luft's performance; commented on the high caliber of entertainment offered at the Cultural Arts Center; and encouraged attendance at future events.

16h. Councilmember Witkowsky stated that she also enjoyed Lorna Luft's performance, especially the virtual duets with her mother Judy Garland.

16i. Councilmember Witkowsky extended condolences to the family of Dick Fitzgerald, a dear friend with whom she has worked on many projects. She commented on his history of community involvement, noting that he was instrumental in starting the annual surf festival in nearby beach cities.

16j. Ted Stinis, 28069 Ella Road, Rancho Palos Verdes, a longtime hangar tenant at Torrance Airport, voiced objections to the City's practice of rounding off hangar rents and to the recently implemented charge of \$50 for annual fire inspections, which were formerly free.

16k. Dee Hardison, 2024 W. 236th Street, referring to the Maricopa project (Item 12a), took exception to Mayor Walker's comment that the previous Council was forewarned about the possibility that a church might locate on the site. She stated that she was Mayor when the previous project was considered and voted with the majority to deny the project and to keep it part of the industrial tract; that subsequently a church usage occupied the site; and that while Mayor Walker might have been forewarned about this type of usage, she was not. She related her belief that at least one of her colleagues, no longer on the Council, also was not forewarned.

Mayor Walker noted that this topic came up during the last election; that several people reviewed the tapes of the hearing on the project; and that a church usage was mentioned and his opponent acknowledged that fact. He stated that he believed everyone on the Council voted his or her conscience and that the end result was that a mega-church located on the site, something which was unforeseen.

Ms. Hardison indicated that she listened to the tape of the hearing prior to this meeting; that she was very clear on what was said; and that she wanted to clarify this issue for the record.

17. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

18. ADJOURNMENT

At 9:55 p.m., the meeting was adjourned to Tuesday, October 14, 2003, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC
City Clerk of the City of Torrance

Approved on December 16, 2003